

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EDWARD C. HUGLER, ACTING	:	CIVIL ACTION
SECRETARY OF LABOR, UNITED	:	
STATES DEPARTMENT OF LABOR	:	
	:	
v.	:	
	:	
JOHN J. KORESKO, V, et al.	:	NO. 09-988

**ORDER**

AND NOW, this 15th day of March 2017, upon careful and independent consideration of the Department of Labor's Motion for Equitable Distribution (Doc. 1384), the Unified Model of Distribution, the Objections filed by various plan sponsors (Docs. 1437-42), the Responses by the Department of Labor (Docs. 1448 & 1451), and after review of the Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey (Doc. 1455<sup>1</sup>), **IT IS ORDERED** that:

1. The Report and Recommendation is **APPROVED AND ADOPTED**.
2. The Objections by Wuest and the Allamo objectors (Docs. 1440 & 1442) are **OVERRULED**.
3. The Objection challenging the death benefit calculation (Doc. 1437) is **DISMISSED AS MOOT** without prejudice.
4. The Motion for Equitable Distribution is **GRANTED** to the extent it calls for the adoption of the Unified Model.
5. The Unified Model of Distribution is **APPROVED AND ADOPTED**.

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<sup>1</sup> With minor amendments, as attached hereto.

6. Marcum shall proceed to prepare the individual plan accountings to be sent to the plans under the schedule previously adopted.

BY THE COURT:

**/S/WENDY BEETLESTONE, J.**

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WENDY BEETLESTONE, J.